



FROM COUNSEL

A Preventive Law Service of The Office of The Judge Advocate General
Keeping You Informed On Personal Legal Affairs

Adoption Expense Reimbursement

Many military families adopt. Some who do may qualify for reimbursement of some adoption expenses. You may find these questions and answers on Adoption Expense Reimbursement helpful in deciding whether you qualify.

Q. I am about to adopt a child. Can I be reimbursed for any of the adoption fees I pay?

A. Maybe. Department of Defense Instruction 1341.9, "Department of Defense (DoD) Adoption Reimbursement Policy", allows active duty military members to be reimbursed up to \$2,000 per child for qualifying adoption expenses in a calendar year. (Maximum reimbursement to one soldier is \$5,000 in any calendar year.) The adoption must be finalized before payment will be made.

Q. How do I request reimbursement?

A. Submit a Reimbursement Request for Adoption Expenses (DD Form 2675, August 1993). You can find the DD 2675 at: http://www.usapa.army.mil/forms/forms20.html;mark=803,4,11#WN_mark on the DoD electronic forms on the Internet. Your servicing unit personnel office is a good point of contact for the reimbursement claim form. That office usually maintains DD Forms 2675, will assist you assemble the necessary adoption expense receipts, and will guide you to complete the reimbursement application. When this is completed, the Personnel Activity will mail the application by certified mail to: Defense Finance and Accounting Service, Cleveland Center (Code FMA), 1240 East Ninth Street, Cleveland, OH 44199-2055. Be sure you include proof of what you paid (for example, receipts marked 'PAID,' canceled checks). Soldiers must submit claims for reimbursement no later than one year following the date on which the adoption is finalized. Complete a separate reimbursement request for each child whose adoption has been finalized.

Q. What adoptions qualify for reimbursement?

A. You can receive reimbursement for adopting a child under 18, foreign adoptions, and adoptions of children with special needs when these adoptions are arranged by a qualified adoption agency. A qualified adoption agency is a state or local government agency that has responsibility under state or local law for child placement through adoption, or a nonprofit, voluntary adoption agency authorized under state or local law to place children for adoption. Adoption of a stepchild already living in the home does not qualify for reimbursement.

Q. What are authorized reimbursable expenses?

A. Reasonable and necessary expenses include:

(1) Public and private agency fees, including adoptive fees charged by an agency in a foreign country.

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- (2) Placement fees, including fees charged adoptive parents for counseling.
- (3) Legal fees, including court costs, for services that are unavailable to a member of the military services under 10 U.S.C. § 1044 or § 1044a.
- (4) Under certain circumstances, some medical expenses for the pre-adoptive child and biological mother.
- (5) Temporary foster care charges when payment of such charges is required to be made before the adoptive child's placement.

Q. Where do I go for more information?

A. Visit your local personnel support activity or check at <http://www.dtic.mil/comptroller/fmr/07c/index.html> at the DFAS Website <http://www.asafm.army.mil/DFAS/>, and select **REIMBURSEMENT OF ADOPTION EXPENSES** to view Vol 7c, of the Financial Management Regulations – DoD 7000.14R.

Q. How can the legal assistance office help?

A. Your local legal assistance office may advise you on local adoption law or refer you to local adoption agencies. You may find out more about adoption law generally at these web sites:

- Visit the National Adoption Information Clearinghouse's web site for A Quick Guide to Adoption Law, at <http://www.calib.com/naic/laws/lawsumm.htm>. It discusses the legal foundation of adoption, who can adopt and be adopted, the adoption legal process, and the rules of confidentiality. In addition, it discusses a range of State law variations and has a description of the adoption process in a particular State, in State-by-State adoption law guides. The summary of state adoption statutes cover: Who can adopt; Who can be adopted; Consent to adoption; Confidentiality; Permissible Fees; Place of Adoption Hearing; Authority to Place Child; Relative Adoption; & Advertisements at <http://www.calib.com/naic/laws/index.htm>.
- Visit FreeAdvice.com's Adoption Law at <http://www.freeadvice.com/law/543us.htm> for a discussion of adoption law and procedures generally. Coverage includes who can adopt; who can be adopted, adoption agencies; step-parent adoptions, foreign adoptions, and tax aspects of adoption.
- Visit Nolo.com's Self-Help Law Center at: http://www.nolo.com/keyword/adoption_home.html to see general information on adoption, including 34 frequently asked questions about adoption.
- Visit the Air Force Legal Assistance web site: <http://www.ja.hq.af.mil/JAMIL/JACA/adoption.htm> to learn about the tax aspects of adoption. You may want to discuss this matter with your income tax advisor or a legal assistance attorney.

Remember, information on the Internet may not be current when you view it. Be sure to check with appropriate, knowledgeable advisors to discuss your specific circumstances. The general legal information is available to help you understand, but is not a substitute for personal legal advice from an attorney. Contact your legal assistance office if you have additional questions or desire more information.

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